



Atty. Dkt. No. 072982-0259

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Masaaki MICHIDA

Title: WIRELESS COMMUNICATION APPARATUS AND WIRELESS
COMMUNICATION SYSTEM THEREWITH

Appl. No.: 10/528,046

International 09/17/2003

Filing Date:

371(c) Date: 03/16/2005

Examiner: Otis L. Thompson, Jr.

Art Unit: 2619

Confirmation 2780

Number:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee.

RELEVANCE OF EACH DOCUMENT

The documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding Japanese application. A partial English translation of the Japanese Office Action of July 15, 2008, follows:

Note (see detail for cited reference list)

Claims 1-8

Cited reference 1

Remarks

A radio communication device which polarized signal having identical frequencies and different polarized directions one another transmit from active communication method (53) and backup communication method (56) is disclosed in paragraph [0014] in cited reference 1. Also, paragraph [0034] and [0035] teaches that it switches from an active to a backup method by picking up signals transmitted from the active communication method as receiving signal from the radio communication device in case of incidence on active method.

Cited reference list

1. JP 2001-86051

The document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding Japanese application. An English translation of the foreign-language document is not readily available; however, the absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP §609).

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

FEE

A credit card payment form in the amount of \$180.00 is enclosed in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(d) in the amount of \$180.00.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a

rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: July 30, 2008

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6014
Facsimile: (202) 672-5399

By George C. Beck Reg-N^o 43,438

[Signature] George C. Beck
Attorney for Applicant
Registration No. 38,072